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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RIOS CUEVAS, ROBERTO JOSE

ART UNIT PAPER NUMBER

2836

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

## Application No.

10/060,860

## Applicant(s)

BECKER, PETER

## Examiner

Roberto J Rios

## Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 06/02/2003 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "input means for inputting an ID code" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. The drawings are objected to because empty boxes should be labeled as to their proper function. For example: in Figure 2, empty box (25) should be labeled "switching device". Moreover, the flowchart of Figure 3 is not clear. Directional indications such as: "yes" and "no" are missing.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The phrase "(Figure 2)" appearing at the bottom of the abstract must be deleted. Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities: Section Headings are missing. Appropriate correction is required.

### ***Claim Objections***

5. Claims objected to because of the following informalities:

As per claim 5, the claim recites: "the consumption timer" and "the counting device". There is insufficient antecedent basis for these limitations in the claim.

As per claims 6 and 7, the claims recite: "the counting device". There is insufficient antecedent basis for this limitation in the claims.

As per claim 8, the claim recites: "the consumption timer" and "the 24-hr consumption timer". There is insufficient antecedent basis for these limitations in the claim.

As per claim 17, the claim recites the limitation "and/or" rendering the claim unclear and indefinite failing to clearly set forth the metes and bounds of the claimed invention.

Applicant is respectfully required to review the claims for any possible lack of antecedent basis situation missed by the Examiner.

6. The following art rejection will be made as best understood by the Examiner in light of the above claim objections.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5, 13-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Keizer et al (US patent 5,592,032).

As per claims 1 and 15, Keizer et al (herein after Keizer) teach a method and an apparatus for controlling an electrical power supply comprising: a voltage input which can be connected to an electrical voltage source; a voltage output which is connected

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via an electrical connection to the voltage input and can be connected to an electrical appliance; a load measurement device for determining an electrical measurement variable which is characteristic of an electrical voltage produced at the voltage output; a load switching device for switching the electrical connection between the voltage input and the voltage output such that a standby voltage or an operating voltage is produced at the voltage output after the connection of the voltage input to a voltage source; and a monitoring device, which is connected to the load measurement device and to the load switching device, for electronic processing of the electrical measurement variable which is determined by means of the load measurement device, such that the load switching device can be operated by means of the monitoring device as a function of the time profile of the determined electrical measurement variable such that the production of the operating voltage at the voltage output is limited to a predetermined time period, and the standby voltage is produced at the voltage output at times which are not included in the predetermined time period (col. 3, line 57- col. 5, line 57).

As per claim 2, Keizer teaches the load measurement device for determining the electrical measurement variable being an inductive measurement device (28).

As per claim 3, Keizer teaches the load measurement device being designed to carry out a threshold value measurement (col. 4, line 36+).

As per claim 4, Keizer teaches the monitoring device comprising a consumption timer device, which is connected to the load measurement device and has a counting device, with an electronic value of the counting device being continuously adapted during the predetermined time period in which the load measurement device indicates

the presence of the operating voltage at the voltage output by means of electrical signals to the consumption timer device (col. 4, line 57+).

As per claim 5, Keizer teaches the monitoring device comprising signal means for producing a switch-off signal, which can be transmitted to the load-switching device, when the consumption timer device finds that the electronic value of the counting device is equal to a maximum setting value (col. 4, line 57+).

As per claim 13, Keizer teaches memory means for electronic storage of the maximum setting value (col. 4, line 20).

As per claim 14, Keizer teaches the apparatus being in the form of a plug-on part for a plug socket for a domestic supply (Figure 3).

As per claim 16, Keizer teaches that in order to define the predetermined time period, a maximum setting value, which is entered using input means, is detected electronically (col. 4, line 20 - col. 5, line 11).

As per claim 18, Keizer teaches an electronic value of a counting device being increased continuously during the predetermined time period, with the counting device being included in a consumption timer device, which is connected to the load measurement device, for the monitoring device (col. 4, line 57+).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keizer in view of Barstow (US patent 5,448,630).

As per claims 6 and 17, Keizer teaches the monitoring device but does not specifically disclose a signal transmitter for receiving a signal from said monitoring device when the electrical value of the counting device reaches a predetermined limit value. However, Barstow teaches a programmable timer, wherein a monitoring means provides a signal to a signal transmitter when a value of a counting device reaches a predetermined limit value to inform a user of a cease of service (col. 4, line 16).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Keizer's timer with Barstow's signal transmitter for the purpose of informing a user of a cease of service.

11. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keizer in view of Baberg (US patent 5,973,414).

As per claims 7 and 8, Keizer teaches the timer but does not specifically disclose a 24-hr consumption timer. However, Baberg teaches a programmable timer, wherein a 24-hr timer is also provided to ensure repetition of the predetermined connection time every day (col. 3, line 31).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Keizer's timer with Baberg's 24-hr timer for the purpose of ensuring repetition of the predetermined power connection time every day (24 hrs).

As per claim 9, Keizer teaches input means for inputting an identification code, with the input means being connected to the control device (col. 4, line 5+).

As per claim 10, Keizer teaches a push-button device, which is connected to the control device, for setting the maximum setting value, in which case the input identification code can be evaluated electronically in the control device such that the pushbutton device can set the maximum setting value only if the input identification code corresponds to a predetermined identification code (col. 4, line 5+).

12. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keizer in view of Sellati et al (US patent 4,995,017).

As per claims 11 and 12, Keizer teaches all the limitations except a mechanical locking mechanism for preventing the operating voltage when the locking mechanism is unlocked. However, Sellati et al (herein after Sellati) teach a plug/receptacle arrangement, wherein a mechanical locking mechanism is provided for preventing an operating voltage when the locking mechanism is unlocked (col. 3, line 49).

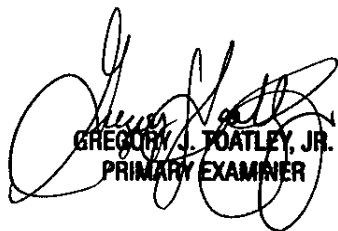
It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Keizer's timer with Sellati's locking mechanism for the purpose of increasing user's safety.

13. Art of general nature relating to power supply control has been cited for applicant's review.



**Communication with PTO**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rios whose telephone number is (703) 306-5518. After January 28, 2004, the Examiner's new telephone number will be (571) 272-2056. In the event that Examiner Rios cannot be reached, his supervisor, Brian Sircus may be contacted at (703) 308-3119. The fax number for Before-Final communications and After-Final communications is (703) 872-9306.



GREGORY J. TOATLEY, JR.  
PRIMARY EXAMINER

Roberto J. Rios  
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